

# UNITED STATES BANKRUPTCY COURT

Northern District of California (Oakland)

In re Norma Marilyn Mendoza

Debtor

Case No. 10-49623

Chapter 13

## Notice of Mortgage Payment Change

If you file a claim secured by a security interest in the debtor's principal residence provided for under the debtor's plan pursuant to § 1322(b)(5), you must use this form to give notice of any changes in the installment payment amount. File this form as a supplement to your proof of claim at least 21 days before the new payment amount is due. See Bankruptcy Rule 3002.1.

Name of creditor: Bank of America, N.A.

Court claim no. (if known): \_\_\_\_\_

Last four digits of any number you  
use to identify the debtor's account: \_\_\_\_\_

1177

Date of payment change:

Must be at least 21 days after date of this notice

06/01/2013

New total payment:

Principal, interest, and escrow, if any

\$1,660.13

### Part 1: Escrow Account Payment Adjustment

Will there be a change in the debtor's escrow account payment?



No



Yes.

Attach a copy of the escrow account statement prepared in a form consistent with applicable nonbankruptcy law.

Describe the basis for the change. If a statement is not attached, explain why:

\_\_\_\_\_

Current escrow payment: \$332.14

New escrow payment: \$451.36

### Part 2: Mortgage Payment Adjustment

Will the debtor's principal and interest payment change based on an adjustment to the interest rate in the debtor's variable-rate note?



No



Yes.

Attach a copy of the rate change notice prepared in a form consistent with applicable nonbankruptcy law.

If a notice is not attached, explain why:

\_\_\_\_\_

Current interest rate: \_\_\_\_\_

New interest rate: \_\_\_\_\_

Current principal and interest payment: \_\_\_\_\_

New principal and interest payment: \_\_\_\_\_

### Part 3: Other Payment Change

Will there be a change in the debtor's mortgage payment for a reason not listed above?



No



Yes.

Attach a copy of any documents describing the basis for the change, such as a repayment plan or loan modification agreement. (Court approval may be required before the payment change can take effect.)

Reason for change: \_\_\_\_\_

Current mortgage payment: \_\_\_\_\_

New mortgage payment: \_\_\_\_\_

**Part 4: Sign Here**

The person completing this Notice must sign it. Sign and print your name and your title, if any, and state your address and telephone number if different from the notice address listed on the proof of claim to which this Supplement applies.

Check the appropriate box:



I am the creditor.



I am the creditor's authorized agent.

(Attach a copy of power of attorney, if any.)

I declare under penalty of perjury that the information provided in this Notice is true and correct to the best of my knowledge, information, and reasonable belief.

X

/s/ Kendrick Stribling

Date 05/10/2013

Bankruptcy Specialist

Print: Kendrick Stribling

Title Bankruptcy Specialist

Company Bank of America, N.A.

Specific Contact Information:

Address 2380 Performance Drive

Phone: 214-209-8461

RICHARDSON, TX 75082

Email: kendrick.stribling@bankofamerica.com

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# UNITED STATES BANKRUPTCY COURT

Northern District of California (Oakland)

Chapter 13 No. 10-49623

Judge: Judge William J. Lafferty

In re:

Norma Marilyn Mendoza

Debtor(s).

## CERTIFICATE OF SERVICE

I hereby certify that on May 10, 2013, I have served a copy of this Notice and all attachments to the following by U.S. Mail, postage pre paid, or via filing with the US Bankruptcy Court's CM ECF system.

Debtor: Norma Marilyn Mendoza  
142 Fuchsia Court  
Hercules, CA 94547

Debtor's Attorney: Corrine Bielejeski  
East Bay Bankruptcy Law  
505 W 2nd St. G  
Antioch, CA 94509

Trustee: Martha G. Bronitsky  
P.O. Box 9077  
Pleasanton, CA 94566

/s/ Bill Taylor

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Authorized Agent

0011686 01 AT 0.381 \*\*AUTO T9 0 5359 94547-1208  
MSO C1 AG 074-----0--2-9B C0000077 IN 1 P11697

NORMA MARILYN T MENDOZA

LEAVY S MENDOZA

142 Fuchsia Ct

Hercules CA 94547-1208

**IMPORTANT MESSAGE ABOUT YOUR LOAN**

Enclosed is an escrow analysis for your loan. The purpose of this notification is to advise you that the escrow portion of your payment is changing to \$451.36 effective June 01, 2013. This notification is for informational purposes only. Your next billing statement will arrive shortly.

**ADDITIONAL INFORMATION**

Principal balance \$190,757.20

This informational notice is being sent to the following borrowers at address set forth above in reference to the chapter 13 bankruptcy filing: NORMA M MENDOZA, LEAVY S MENDOZA

**WHAT YOU NEED TO DO**

Please keep this notification for your records.

**THANK YOU FOR YOUR BUSINESS**

For additional information regarding your escrow analysis, or any other account details, call 1.800.669.5224, Monday-Friday 7a.m. - 7p.m. Local Time.







## ESCROW ACCOUNT REVIEW

Account Number [REDACTED]

Statement date  
05/07/2013

3 of 6

Property address  
142 Fuchsia CT.Norma Marilyn T Mendoza  
Leavy S MendozaESCROW  
EXPLAINED

This escrow statement is being sent for **informational purposes only**. It should not be construed as an attempt to collect a debt or to modify the terms of your chapter 13 plan. Note that your chapter 13 bankruptcy plan may provide for the Trustee to pay escrow amounts outstanding on your loan as of the date you filed your bankruptcy case or may otherwise provide for the Trustee to pay amounts due to escrow.

Part of your monthly loan payment goes into an account to pay for your property taxes and insurance premiums. During the year, payments are made out of this account when tax or insurance bills come due. This notice describes any changes needed in your monthly payment to maintain enough money in your escrow account to pay these bills. In our step-by-step analysis, we determine the data shown below to calculate your new escrow payment.

**If this is your first escrow statement after filing your chapter 13 bankruptcy**, this escrow account review was performed as of the date that you filed for bankruptcy and your new monthly escrow payment has been calculated in accordance with applicable bankruptcy law. The amount shown in the Summary section below as the New monthly home loan payment is the updated and correct amount due for the month shown. If you previously received a monthly coupon for the same due date, the payment amount below is intended to replace the coupon you previously received, as the coupon was prepared and sent before we had notice of your chapter 13 bankruptcy filing. If you are making your monthly mortgage payments under your chapter 13 plan, please send the New monthly home loan payment amount shown below.

**If this is an annual escrow statement provided during your chapter 13 bankruptcy**, we have prepared this escrow statement to track your escrow obligations during the period when you are making payments under the terms of your chapter 13 plan.

**If you have filed a chapter 13 plan that provides for maintaining your home**, our step-by-step analysis is based on the assumption that you will be making your chapter 13 plan payments, including plan payments to cure amounts due from the period before your bankruptcy filing or otherwise due under your chapter 13 plan. If you are unable to complete your plan payments and your case is dismissed, converted to a chapter 7, or the automatic stay is lifted, then your monthly escrow payment will need to be recalculated to account for the cure amounts still due from the period before your bankruptcy filing or otherwise due under your chapter 13 plan.

See below for:

- an in-depth explanation of each step of your escrow analysis
- side-by-side comparison of last year's projected and actual data

## SUMMARY

Base amount needed (see Step 1)	The expected monthly amount needed to pay your property taxes and insurance premiums	\$392.53
Shortage payment (see Step 2)	The monthly amount you must pay into your escrow account to keep the balance from falling below zero during the year	\$45.80
Reserve requirement (see Step 3)	The monthly amount allowed by federal law for unexpected tax and insurance increases and other costs	\$13.03
<b>New monthly escrow payment (see Step 4)</b>		<b>\$451.36</b>
<b>New monthly home loan payment effective 06/2013 (see Step 4)</b>		<b>\$1,660.13</b>

## HOW WE CALCULATE YOUR ESCROW PAYMENT

## STEP 1

## Determine base amount needed for the year

Escrow items	Amount needed	Frequency in months	Monthly amount needed
County taxes	\$1,992.83	12	\$166.07
County taxes	1,992.83	12	166.07
Homeowners insurance	724.70	12	60.39
<b>Total monthly base payment amount</b>			<b>\$392.53</b>

We may charge you a fee for any payment returned or rejected by your financial institution, subject to applicable law.

**Bank of America, N.A. is required by law to inform you that this communication is from a debt collector.**

## You can make your payment:

- By automatic draft payment using PayPlan
- Online at [www.bankofamerica.com](http://www.bankofamerica.com)
- By phone - call 1.800.669.6607
- At any Bank of America Banking Center
- By mail using the enclosed envelope

- Make your check payable to  
Bank of America, N.A.
- Please write your loan number on the  
check or money order
- Include this payment coupon with your  
check (do not staple your check to the  
coupon)
- Please do not send cash or include  
correspondence

Loan Number [REDACTED]  
Norma Marilyn T Mendoza  
Leavy S Mendoza  
142 Fuchsia CT.  
Hercules, CA 94547

(3)

Escrow shortage due: **June 1, 2013****\$2,747.88**

5359

Bank of America, N.A.  
PO BOX 650070  
DALLAS, TX 75265-0070



N/A

N/A

Total amount  
enclosed

**STEP 2****Determine lowest projected balance**

In the chart located below, we project the amounts you will pay into your escrow account next year and the amounts we will pay out for your insurance and tax bills. Remember, these figures are only projections and may not reflect the actual payments made at the time they are due.

Month	Escrow deposit(s)	Tax payment(s)	Insurance payment(s)	MIP/PMI payment(s)	Balance
<b>Post-Petition Beginning balance</b>					<b>-\$1,962.82</b>
June 2013	392.53				-1,570.29
July 2013	392.53				-1,177.76
August 2013	392.53				-785.23
September 2013	392.53				-392.70
October 2013	392.53				-.17
November 2013	392.53	1,992.83			-1,600.47
December 2013	392.53		724.70		-1,932.64
January 2014	392.53				-1,540.11
February 2014	392.53				-1,147.58
March 2014	392.53	1,992.83			-2,747.88 *
April 2014	392.53				-2,355.35
May 2014	392.53				-1,962.82
<b>Post-Petition Ending balance</b>					<b>-\$1,962.82</b>
<b>*Lowest projected balance</b>					<b>-\$2,747.88</b>
<b>Shortage payment amount</b>					<b>\$45.80</b>

The Post-Petition Beginning and Ending balances above are projected balances, which assume that all payments due under your chapter 13 bankruptcy plan will be made, including your regularly scheduled mortgage payments due after the bankruptcy filing and all plan payments to cure amounts due from the period before your bankruptcy filing or otherwise due under your chapter 13 plan.

You, of course, have the option to pay your anticipated shortage in full. (See Step 4 for more information.)

**STEP 3****Determine reserve requirement**

Federal law allows for the collection of a reserve amount to maintain a cushion for unexpected tax and/or insurance increases and other costs. The reserve used for this period is shown below.

Lowest projected balance (see step 2 above)	-\$2,747.88	
Total reserve requirement (16.6% of the base amount) *	781.92	
Additional amounts required	781.92	
<b>Monthly reserve requirement (\$781.92 divided by 60)</b>		<b>\$13.03</b>
<b>Potential overage</b>	<b>\$0.00</b>	

\* Base amount equals the total of payments anticipated to be paid out of the escrow account during the year but excludes Private Mortgage Insurance (PMI) or MIP amounts.

**STEP 4****Determine monthly payments****Calculation of monthly escrow payments**

Base amount needed for taxes and/or insurance (see Step 1)	\$392.53	
Shortage payment (see Step 2)	45.80	
Reserve requirement (see Step 3)	13.03	
<b>Total monthly escrow payment</b>		<b>\$451.36</b>

**Calculation of monthly home loan payment**

Principal and/or interest	\$1,208.77
Total monthly escrow payment	451.36



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## Home Loans

## STEP 4

## Determine monthly payments - continued

Total monthly home loan payment effective 06/2013

\$1,660.13

If you choose to pay your shortage in full, your payment will be reduced by the shortage amount of \$45.80, leaving you with a payment of \$1,614.33.

LAST YEAR  
IN REVIEW

## Current analysis compared to previous

## Monthly

## Amount needed for taxes and insurance

## Last analysis

## This analysis

County taxes	\$166.07	\$166.07
County taxes	166.07	166.07
Homeowners insurance	.00	60.39
Total base escrow payment	\$332.14	\$392.53
Shortage payment	.00	45.80
Reserve requirement	.00	13.03
Rounding amount	.00	.00
<b>Monthly escrow payment</b>	<b>\$332.14</b>	<b>\$451.36</b>
Principal and/or interest	\$1,208.77	\$1,208.77
Monthly escrow payment	332.14	451.36
<b>Total payment amount</b>	<b>\$1,540.91</b>	<b>\$1,660.13</b>

## Summary of escrow change

As shown, your base escrow amount increased. Your reserve percentage remained unchanged. Your reserve payment increased. The result of these factors caused your total escrow payment to increase. Additionally, you were left with a(n) shortage.

A side-by-side comparison of last year's projected escrow account activity and actual activity can be found below.

## Last year's escrow payments

If you have recently filed a chapter 13 bankruptcy, then we have provided below a side-by-side comparison of your prior projected escrow account activity to the actual account activity.

If this is an annual escrow statement provided during your chapter 13 bankruptcy, then the projected escrow account activity below was performed in accordance with the terms of your chapter 13 plan. At the same time, we also maintained a separate accounting that reflected your escrow account activity as would be provided under the terms of your loan documents outside of bankruptcy (shown below under the heading "Actual"). The Actual escrow activity includes both the receipt of your regular monthly mortgage payments to escrow and any cure payments made under the terms of your chapter 13 plan for escrow amounts due from the period before your bankruptcy filing or otherwise due under your chapter 13 plan. Below is the side-by-side comparison of the plan projected activity to the actual activity for last year. Upon the completion of your chapter 13 plan, if all payments due under the chapter 13 plan are received and taxes and insurance were paid in the amounts anticipated then the projected and actual ending balances should match. If you are unable to complete your chapter 13 plan payments and your case is dismissed, converted to a chapter 7, or the automatic stay is lifted, then the actual accounting shown below will be used in performing your next escrow analysis.

Projected					Actual				
Date	Activity	Paid In	Paid Out	Balance	Date	Activity	Paid In	Paid Out	Balance
	<b>Beginning balance</b>			<b>\$2,576.59</b>		<b>Beginning balance</b>			<b>-\$3,126.20</b>
03/01/2013	Mar Payment	332.14		2,908.73	03/01/2013	County tax pmt		1,992.83	-5,119.03
03/02/2013	County taxes		1,992.83	915.90 *	05/07/2013	Oct Payment	350.79		-4,768.24 P
04/01/2013	Apr Payment	332.14		1,248.04	05/07/2013	Nov Payment	350.79		-4,417.45 P
05/01/2013	May Payment	332.14		1,580.18	05/07/2013	Misc. posting	-3,543.00		-7,960.45 *P
06/01/2013	Jun Payment	332.14		1,912.32		<b>Ending balance</b>			<b>-\$7,960.45</b>
07/01/2013	Jul Payment	332.14		2,244.46					
08/01/2013	Aug Payment	332.14		2,576.60					
09/01/2013	Sep Payment	332.14		2,908.74					
10/01/2013	Oct Payment	332.14		3,240.88					
11/01/2013	Nov Payment	332.14		3,573.02					
11/02/2013	County taxes		1,992.83	1,580.19					
12/01/2013	Dec Payment	332.14		1,912.33					
01/01/2014	Jan Payment	332.14		2,244.47					
02/01/2014	Feb Payment	332.14		2,576.61					
	<b>Ending balance</b>			<b>\$2,576.61</b>					

\* Lowest projected balance

P - The letter (P) beside an amount indicates that the payment or disbursement has not yet occurred but is estimated to occur as shown.

In performing the projection above, Bank of America, N.A. assumed that all regularly scheduled mortgage payments would be made that were due prior to the projection period.



